

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08MD1932-MU**

**IN RE FAMILY DOLLAR FLSA
LITIGATION**

Concerning Daniels v. Family Dollar Stores

ORDER

This matter is before the Court on the parties Joint Motion for Dismissal of Plaintiff Darrell J. Gaines, Sr., filed August 15, 2011. (Doc. No. 608). The parties have agreed to this dismissal, with prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure with each party to bear their own costs.

IT IS, THEREFORE ORDERED that:

- (1) The Joint Motion for Dismissal as to Plaintiff Darrell J. Gaines, Sr. (Doc. No. 608) is **GRANTED**. Plaintiff's claims against Family Dollar are dismissed with prejudice, with each party to bear its own fees and costs;
- (2) The Court finds that there is no just reason to delay entry of final judgment for Family Dollar with respect to Plaintiff Darrell J. Gaines' claims against Family Dollar;
- (3) The Clerk is directed to enter final judgment, pursuant to Rule 54(b), for Family Dollar with respect to Plaintiff Darrell J. Gaines Sr.

SO ORDERED.

Signed: August 16, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

